

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MARK MARSHALL,

Petitioner,

v.

TRAVIS BITTELMAN,
correctional officer;
BRIAN NEUMAIER, correctional officer;
and SERGEANT MICHAEL FINK.

Respondents.

ORDER

08-cv-411-bbc

In an order entered in this case on September 9, 2008, I denied petitioner Mark Marshall leave to proceed in forma pauperis because he has struck out under 28 U.S.C. § 1915(g) and the allegations in his complaint do not suggest that he is in “imminent danger of serious physical harm.” I told petitioner that if he intends to pursue his claims he would have to pay the remaining balance of the \$350 fee for filing this case by September 23, 2008.¹ The court has not received petitioner’s payment because it appears he is no longer in the custody of the Milwaukee Secure Detention Facility, where the September 9 order was

¹In the September 9 order I incorrectly noted that the remaining balance of the \$350 filing fee is \$349.67. In fact, the remaining balance as of today’s date is \$349.34.

mailed. Although petitioner is obligated ordinarily to inform the court of address changes as soon as they occur, I will send him another copy of the September 9 order to his home address in Springfield, Illinois and extend the deadline for him to make the \$349.34 payment.

ORDER

IT IS ORDERED that the deadline within which petitioner is to pay the \$349.34 payment for the remaining balance of the \$350 filing fee is extended to October 21, 2008. If, by October 21, 2008, petitioner fails to make the payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 30th day of September, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge